

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: May 30, 2020

v.

16-CR-311 (KMW)
ORDER

JOSE ROMAN,

Defendant.
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KIMBA M. WOOD, District Judge:

The Court has received and reviewed the Government's opposition to Defendant's motion for compassionate release under 18 U.S.C. § 3582(c)(1)(A). (ECF No. 428.) The Government's submission contains some, but not all, of the information requested in the Court's Order dated May 22, 2020. (ECF No. 424.)

For example, the Government has provided incomplete information about the testing numbers and criteria at FCI Danbury, and whether Defendant has been in close proximity to any inmate or staff member who has tested positive for COVID-19; has not assessed all the factors listed in the Attorney General's March 26, 2020 Memorandum, including Defendant's PATTERN score; has not directly addressed Defendant's disciplinary record, risk of violence, and risk of recidivism; has not stated who, if anyone, at the BOP assessed Defendant's risk factors for severe COVID-19 illness and upon what specific information that person's assessment was made; and has not stated whether Defendant has been or will be considered for furlough. The Court appreciates the Government's otherwise thorough and helpful submission,

which, consistent with the Court's direction, was prepared in just a week's time.

No later than June 4, 2020, the Government shall submit a supplemental response providing the information requested in the Court's Order of May 22, 2020, or the page number where that information can be found in the Government's opposition brief. In addition, the Government shall provide any information that is available about the testing and infection rates and quarantine protocols in the unit to which Defendant has been newly assigned. The Government shall also state whether the BOP considers Defendant's weight, which Defendant referenced in his internal compassionate release request (Ex. B), a risk factor for COVID-19.

The Clerk of Court is respectfully directed to mail a copy of this Order to Defendant at the following address:

Jose Roman, Reg. No. 67754-018
FCI Danbury
33 ½ Pembroke Road
Danbury, CT 06811

SO ORDERED.

Dated: New York, New York
May 30, 2020

/s/ Kimba M. Wood
KIMBA M. WOOD
United States District Judge